

EXHIBIT D

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

2015 SEP 17 P 3 25

CLERK US DISTRICT COURT
ALEXANDRIA, VIRGINIA

UNITED STATES OF AMERICA, ex rel.,
ANTHONY GARZIONE,

Plaintiff/Relator,

v.

PAE GOVERNMENT SERVICES, INC.,

Defendant.

Case No.: 1:15cv833 (AJT/JFA)

FILED EX PARTE AND
UNDER SEAL
PURSUANT TO 31 U.S.C. § 3730(b)

THE GOVERNMENT'S NOTICE OF ELECTION TO
DECLINE INTERVENTION

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the United States notifies the Court of its decision not to intervene in this action.

Although the United States declines to intervene, we respectfully refer the Court to 31 U.S.C. § 3730(b)(1) which allows the relator to maintain the action in the name of the United States; providing, however, that the "action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting." Id. Therefore, the United States requests that, should either the relator or the defendant propose that this action be dismissed, settled, or otherwise discontinued, this Court solicit the written consent of the United States before ruling or granting its approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in this action be served upon the United States; the United States also requests that orders issued by the Court be sent to the Government's counsel. The United States reserves

its right to order any deposition transcripts, to intervene in this action, for good cause, at a later date, and to seek the dismissal of the relator's action or claim.

The United States also requests that it be served with all notices of appeal.

Finally, the Government requests that the relator's Complaint, this Notice, and the attached proposed Order be unsealed. The United States requests that all other papers on file in this action remain under seal because in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this notice.

Respectfully submitted,

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Attorneys for the United States

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of September, 2015, I caused a true and correct copy of the foregoing:

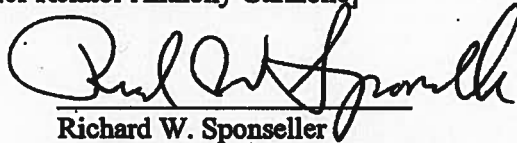
The Government's Notice Of Election To
Decline Intervention

and

[Proposed] Order

to be served by U.S. Postal Service First Class mail, postage pre-paid on:

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